



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joseph Barrett et al.

Art Unit : 2153

Serial No. : 09/666,140

Examiner : Kimberly Flynn

Filed : September 20, 2000

Title : SECURING AN ACCESSIBLE COMPUTER SYSTEM

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Technology Center 2100

REPLY TO ACTION OF OCTOBER 22, 2003

In reply to the Final Office Action of October 22, 2003, Applicants submit the following remarks.

Claims 1-37 are pending, with claims 1, 15, and 25 being independent.

Claims 1-9, 13-19, 23-29, and 34-37 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Chen (U.S. Patent Application Publication No. 2002/0103916). Applicants respectfully traverse this rejection because Chen is not prior art under 35 U.S.C. § 102(e).

Chen has an application filing date of September 5, 2001 and claims priority to a provisional patent application filed on September 7, 2000. As such, the earliest § 102(e) date that can be attributed to Chen is September 7, 2000.

Applicants application was filed on September 20, 2000 and claims the benefit of a provisional patent application filed on August 24, 2000. The claim for domestic priority under 35 U.S.C. § 119(e) was acknowledged on the Official Filing Receipt mailed August 21, 2002 and on the first office action summary sheet mailed May 8, 2003. Applicants' application is entitled to at least the provisional application filing date of August 24, 2000, which is earlier than the September 7, 2000 § 102(e) date of Chen.

Thus, Chen is not prior art under § 102(e). Moreover, Applicants respectfully request withdrawal of the § 102(e) rejection.

Claims 10-12, 20-22, and 30-33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chen. Applicants respectfully traverse this rejection, again pointing out that Chen is not prior art. Here, however, Applicants note that Chen fails to qualify on its face as

Applicant : Joseph Barrett
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Attorney's Doc. No.: 06975-131001 / Security 08

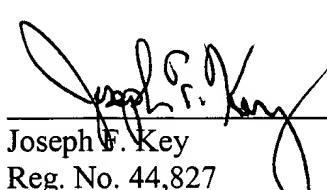
prior art under any applicable section of 35 U.S.C. § 102. The Patent Office has therefore failed to meet its burden of establishing a prima facie case of obviousness in support of a § 103 rejection in reliance on Chen. For at least this reason, Applicants respectfully request withdrawal of the § 103(a) rejection.

All claims are believed to be in condition for allowance. Reconsideration and allowance of the claims is respectfully requested.

No fees are believed to be due at this time. However, during prosecution of this case, please apply any deficiencies or credits to deposit account 06-1050.

Respectfully submitted,

Date: 11/04/2003


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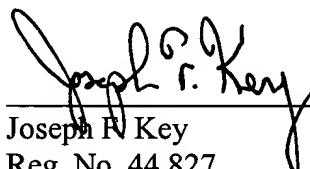
TRANSMITTAL LETTER

Correspondence relating to this application is enclosed. The required fees are computed below. Please apply any charges not covered, or any credits, to Deposit Account No. 06-1050.

Total Claims	37	-	37	=	0	\$0
Independent	3	-	3	=	0	\$0
First Presentation of Multiple Dependent Claims						\$0
Applicant hereby petitions under 37 C.F.R. §1.136 for a 0 month extension of time.						\$0
TOTAL FEE DUE						\$0

Respectfully submitted,

Date: 11/04/2003


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